

**AMENDMENTS TO THE DRAWINGS**

**In the Drawings:**

Please replace FIG. 1 with the single replacement drawing sheet submitted herewith.

### **REMARKS**

With the forgoing amendment claims 1–24 are pending. Claims 1 and 16 are independent. Applicants respectfully request favorable reconsideration of this application.

#### **Allowable Subject matter**

At the outset, Applicants would like to thank Examiner Ly for the indication of allowable subject matter within Claim 4.

#### **The Drawings**

Figure 1 has been amended to include the subject matter depicted within Figure 1 of the priority application, i.e., PCT/CN03/00548 (published as WO 2004/016023 A1). The Chinese portions have been translated into English; no new matter has been added.

#### **The Information Disclosure Statement**

With respect to the Information Disclosure Statement filed on February 3, 2005, Applicants hereby submit a legible copy of Citation No. 3, i.e., CN 1227037, with an English translation of the Abstract. *See*, Office Action at Page 2 (Paragraph 1). Applicants note that this publication is related to U.S. Patent No. 6,587,445, filed on January 20, 1999.<sup>1</sup>

#### **Claims Rejections Under 35 U.S.C. § 102(b)**

Claims 1–3, 5, 10 and 11 were rejected under 35 U.S.C. § 102(b) as being anticipated by Wright (US 6,078,959).

Claim 1 has been amended for clarity and antecedence. Claim 1 is not anticipated by Wright because Wright does not disclose all of the features of claim 1. For example, Wright does not disclose “counting the number of accessed subscribers in all current communication time slots of a home base station,” as is recited in Claim 1. The Office contends otherwise. In support of its contention, the Office cites to the following portions of Wright: Col. 1:22 to Col. 2:17; Col. 6:44–54, Col. 11:29–42 and Col. 12:3–32. *See*, Office Action at Pages 2–3.

With respect to Wright at Col. 1:22 to Col. 2:17, (i.e., “Description of the Technology”), Wright generally describes the disadvantages associated with prior network-originated and

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<sup>1</sup> CN 1227037 and US 6,587,445 both claim priority to PCT/JP98/02212, filed on May 20, 1998.

subscriber-originated connection request handling techniques, including queuing of network-originated connection requests and traffic congestion associated with subscriber-originated connection requests.

With respect to Wright at Col. 6:44–54, Wright discloses a time slot allocating mechanism of the base station, in which the base station allocates one or more available time slots to random access signaling before it allocates time slots for either any primary service connection request, network or subscriber-originated, or any secondary service connection request, network or subscriber-originated. Alternatively, the base station allocates time slots for primary service connection requests, network or subscriber-originated, before it services any secondary service, network or subscriber-originated, connection request.

With respect to Wright at Col. 11:29–42, Wright describes the reasons why one of his approaches is inadequate as traffic loads on a network increase.

With respect to Wright at Col. 12:3–32, Wright discloses that the base station network service queue and the subscriber service queue are serviced on an equality of access basis, or are configured with a call priority code or value. Wright also describes acknowledgement and page functionality.

As is clear from the above, Wright simply does not disclose “counting the number of accessed subscribers in all current communication time slots of a home base station,” as is required by Claim 1.

Additionally, Claim 1 is not anticipated by Wright because Wright does not disclose “comparing said channel resource occupations in the different time slots,” as is also recited in Claim 1. The Office contends otherwise. In support of its contention, the Office cites to the following portions of Wright: Col. 2:20–28; Col. 8:20–55. *See*, Office Action at Page 3.

With respect to Wright at Col. 2:20–28 (i.e., “Summary of the Inventions”), Wright discusses an object of his invention, namely offering equity of access between network and subscriber originated connection access.

With respect to Wright at Col. 8:20–55, Wright describes the response of the subscriber when a denial message is received and the call blocking results.

As is clear from the above, Wright simply does not disclose “comparing said channel resource occupations in the different time slots,” as is required by Claim 1.

Further, Claim 1 is not anticipated by Wright because Wright does not disclose “allocating idle resource units, in the time slots having available channel resources and a minimum number of accessed subscribers, to the subscriber sending the access request,” as is also recited in Claim 1. The Office contends otherwise. In support of its contention, the Office cites to the following portions of Wright: Col. 2:21–47; Col. 5:39 to Col. 6:4; Col. 6:44–54; Col. 10:31–48; Col. 11:29–42; Col. 12:3–32; Col. 13:65 to Col. 14:45 and Col. 15:5–54. *See*, Office Action at Page 3.

With respect to Wright at Col. 2:21–47 (i.e., “Summary of the Inventions”), Wright discloses that one object of his invention is offering equity of access between network and subscriber originated connection access, as well as the process executed by the server system when a subscriber-originated connection request is accepted.

With respect to Wright at Col. 5:39 to Col. 6:4, Wright discloses the process executed by the server system when there are available connection resources, and the process by which the server system interrogates queues and allocates time slot to the connection request, as well as the negotiation for time slots.

With respect to Wright at Col. 6:44–54, see above.

With respect to Wright at Col. 10:31–48, Wright discloses a reason why his inequitable access mechanism arises.

With respect to Wright at Col. 11:29–42, see above.

With respect to Wright at Col. 12:3–32, see above.

With respect to Wright at Col. 13:65 to Col. 14:45, Wright describes the process executed by the base station when connection resources are available to be allocated, and the process executed by the base station when the connection request is for the secondary service and there are available connection resources for allocation, as well as the process in which the base station interrogates queues and allocates time slots.

With respect to Wright at Col. 15:5–54, Wright described the processes executed by the base station and the subscriber when there are no available connection resources for allocation,

as well as the processes executed by the base station in different time slots, in which there is a pending subscriber-originated call, or a network-originated connection request.

Accordingly, Wright describes solutions for equity of access between network and subscriber-originated connection requests (e.g., Col. 2:20–27), in which the queuing of the requests are emphasized. But, Wright fails to teach or suggest “allocating idle resource units in the time slots having available channel resources and the minimum number of accessed subscribers to the subscriber sending the access request,” as recited by Claim 1, which is a solution for selecting time slots for the subscriber.

Consequently, Wright fails to disclose all of the features recited by Claim 1. Applicant, therefore, respectfully requests that the rejection of claims 1-15 be withdrawn.

### **Claims Rejections Under 35 U.S.C. § 103**

Claims 6–9 and 12–15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Wright in view of Mizuhara (US 6,694,648).

Mizuhara similarly discloses a time slot allocation method and data communications system. Applicants submit that Mizuhara fails to cure Wright’s deficiencies. Accordingly, because claims 6-9 and 12-15 depend from claim 1, these claims are allowable over the art for the reasons given above with respect to claim 1.

### **New Claims**

Claims 16–24 have been added. Claim 16 is independent. Claims 17-24 depend from claim 16. Similarly to claim 1, claim 16 requires “a first unit adapted to count the number of accessed subscribers in all current communication time slots of the base station in response to an access request to determine channel resource occupations in the time slots.” Accordingly, the above remarks for claim 1 apply to claims 16-24.

### **Conclusion**

In view of the remarks presented herein, Applicants respectfully submit that this application is in condition for allowance and should now be passed to issue. A Notice of Allowance is respectfully solicited.

If any extension of time is required in connection with the filing of this paper and has not been requested separately, such extension is hereby requested.

The Commissioner is hereby authorized to charge any fees and to credit any overpayments that may be required by this paper under 37 C.F.R. §§ 1.16 and 1.17 to Deposit Account No. 02-2135.

Respectfully submitted,

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By: \_\_\_\_\_



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